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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

5 RICHARD ROY SCOTT,

6 Plaintiff,

7 v.

8 KELLY CUNNINGHAM,

9 Defendant.

NO. C11-5509 BHS/KLS

ORDER DENYING MOTION FOR  
DISCOVERY

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11 Before the Court is Plaintiff's motion for discovery. ECF No. 110. Defendant opposes  
12 the motion and asks the Court to impose appropriate sanctions against Plaintiff for filing  
13 duplicative and repetitive motions. ECF No. 113.

14 **DISCUSSION**

15 Pursuant to the Case Management Order governing this case, Mr. Scott must submit  
16 written discovery to the Court for prior approval before engaging in discovery. *Scott v. Seling*,  
17 C04-5147 RJB. ECF No. 170 ¶ 4. In his Amended Complaint, Mr. Scott raises three issues  
18 relating to the conditions of his confinement at the SCC: (1) inadequate medical care, (2) lack  
19 of emergency services, and (3) interference with access to courts due to inadequate processing  
20 of mail and legal copies. ECF No. 2. In particular, he alleges that his medical care is no longer  
21 adequate, there is no longer an emergency ambulance service to the ferry, there is no longer a  
22 fire department or emergency response team, he is no longer being given medical care, he has  
23 been unable to obtain new glasses, his incoming and outgoing mail is not being processed on a  
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1 daily basis, his legal copies are not being made in a timely manner, and his request to have his  
2 investigator paid has never been filed. *Id.*

3 In this motion for discovery (ECF No. 110), Mr. Scott makes many of the same  
4 requests previously made in his motion for leave to conduct discovery (ECF No. 80) and his  
5 motion for leave to proceed with the non-stenographic deposition of Defendant Kelly  
6 Cunningham (ECF No. 87). This Court previously limited the matters of inquiry for  
7 interrogatories to Mr. Cunningham to: (1) the number of paramedic personnel and their  
8 training; (2) the number of fire station personnel and their training; (3) the nature of medical  
9 services provided to Plaintiff in the past year. ECF No. 99, p. 2. The Court denied ECF No.  
10 87 as duplicative.  
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12 The matters raised in this motion (ECF No. 110) go beyond the Court's Order and what  
13 the Court has deemed relevant to the claims raised by Mr. Scott in his complaint. For  
14 example, Mr. Scott seeks a description of the amenities available on the SCC's emergency  
15 speed boat (e.g., length, whether it is heated or has a cabin, the type of engine), the parking  
16 location of SCC's ambulance, the ferry schedule, whether armed guards are available to  
17 transport patients *or staff* by ambulance to the ferry, and whether SCC is moving off McNeil  
18 Island. ECF No. 110, p. 4.  
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20 Accordingly, it is **ORDERED**:

21 (1) Plaintiff's motion for discovery (ECF No. 110) is **DENIED**. The Court  
22 declines to assess sanctions at this time.  
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(2) The Clerk is directed to send copies of this Order to Plaintiff and to counsel for Defendants.

**DATED** this 16th day of February, 2012.

  
Karen L. Strombom  
United States Magistrate Judge